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7
 Attorneys for Plaintiff
 8 United States of America

9 UNITED STATES DISTRICT COURT

10 SOUTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,) Case No. 10CR4246-JM
)
12 Plaintiff,)
) JOINT MOTION FOR <u>AMENDED</u>
13 v.) PROTECTIVE ORDER
)
14 BASAALY SAEED MOALIN, et al.,)
)
15 Defendants.)
)
16)
17)

18 Plaintiff United States of America and defendants
 19 Basaaly Saeed Moalin, Mohamed Mohamed Mohamud, Issa Doreh,
 20 and Ahmed Nasir Taalil Mohamud hereby jointly move the Court
 21 to amend the current protective order to provide that the
 22 audio FISA Information, and translations thereof, may be
 23 deposited with the detention facilities for direct access
 24 by the defendants. In support of this joint motion, the
 25 parties state as follows:

26 1. On January 3, 2011, the Court issued a protective
 27 order restricting and governing the dissemination of
 28 sensitive discovery materials, including, primarily, FISA

1 Information provided to the defense in discovery. Among
2 other things, the protective order provides that "defense
3 counsel shall store all sensitive discovery materials, and
4 any copies thereof, in a secure place[.]"

5 2. The FISA Information discovered to defense counsel
6 consists primarily of audio recordings and certain
7 translations thereof. The Government and defense counsel
8 agree that pre-trial preparation would be more efficient if
9 individual defendants could directly access and review audio
10 recordings and translations at the facilities in which they
11 are detained without always requiring a defense attorney or
12 investigator to be present with the copies, to the extent
13 permitted by the facilities.

14 3. Accordingly, the parties jointly propose amending
15 the protective order to make clear that the aforementioned
16 audio recordings, and translations thereof, may be deposited
17 with the detention facilities (in a manner, and under
18 procedures, acceptable to the facilities) for access by the
19 defendants.

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1 4. Concurrently herewith, the Government is submit the
2 proposed amended protective order to the Court via e-mail.

3 Dated: February 24, 2011.

4 Respectfully submitted,

5 LAURA E. DUFFY
6 United States Attorney

7 s/William P. Cole
8 WILLIAM P. COLE
9 CAROLINE P. HAN

10 Assistant U.S. Attorneys

11 Attorneys for Plaintiff
12 United States of America

13 LAW OFFICES OF HOLLY S. HANOVER

14 s/Holly S. Hanover
15 HOLLY S. HANOVER

16 Attorney for Defendant
17 Ahmed Nasir Taalil Mohamud

18 Marc B. Geller, APC

19 s/Marc B. Geller
20 MARC B. GELLER

21 Attorney for Defendant
22 Basaaly Saeed Moalin

23 Law Office of Kenneth Troiano

24 s/Kenneth J. Troiano
25 KENNETH J. TROIANO

26 Attorney for Defendant
27 Issa Doreh

28 Law Office of Mahir T. Sherif

 s/Mahir T. Sherif
 MAHIR T. SHERIF

 Attorney for Defendant Mohamed
 Mohamed Mohamud

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Case No. 10CR4246-JM
)
Plaintiff,)
)
v.)
) CERTIFICATE OF SERVICE
BASAALY SAEED MOALIN, et al.,)
)
)
Defendants.)
)

IT IS HEREBY CERTIFIED THAT:

I, William P. Cole, am a citizen of the United States and am at least eighteen years of age. My business address is 880 Front Street, Room 6293, San Diego, California 92101-8893.

I am not a party to the above-entitled action. I have caused service of **Joint Motion for Amended Protective Order** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

1. Marc Geller
Attorney for defendant Moalin
2. Mahir Sherif
Attorney for defendant Mohamud
3. Kenneth Troiano
Attorney for defendant Doreh
4. Holly Hanover
Attorney for defendant Ahmed Nasir Taalil Mohamud

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 24, 2011.

s/William P. Cole
WILLIAM P. COLE